Case 7:08-cv-01704-CLB Document 4 Filed 03/28/2008 Page 1 of 1 OF THE SOUTHERN DISTRICT OF NEW YORK IDAVIT OF SERVICE **COUNTY OF** ATTORNEY: GUARANTEED SUBPOEN FF/INDEX # LOCAL UNION NO. 825, AFFILIATED WITH THE INTERNATIONAL UNION OF 08-CV-1704 DATE FILED: OPERATING ENGINEERS, ET AL. DOCKET#: Plaintiff(s)/Petitioners(s) - AGAINST -ULTIMATE LAND DEVELOPMENT OF THE HUDSON VALLEY, INC. AND ULTIMATE LAND DEVELOPMENT, INC. COURT D/T: Defendants(s)/Respondent(s) AMOUNT: STATE OF NEW YORK COUNTY OF ORANGE ss: THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK. That on 3/14/08 at 5:55 PM at 104 VAN AMBURGH ROAD, MONTGOMERY deponent served the within SUMMONS, RULE 7.1 STATEMENT, CIVIL COVER SHEET, PRACTICES OF JUDGE BRIEANT AND JUDGE FOX, GUIDELINES FOR ELECTRONIC CASE FILING & COMPLAINT ULTIMATE LAND DEVELOPERS, INC. therein named and that he knew the person By delivering to and leaving with JAMIE WOLF CORPORATION so served to be the GENERAL AGENT of the corporation, and authorized to accept service. THE AUTHORIZED FEE AND AT THE SAME TIME PAYING IN ADVANCE Deponent describes the individual served as follows: DESCRIPTION FEMALE WHITE SKIN BLACK HAIR 35-40 YRS. 5'4" 140 LBS. Other identifying features:

Sworn to before me on: 3/17/08

JOANN JOHNSON

MIKE RENNA

JOHN GOULD NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN ORANGE COUNTY COMMISION EXPIRES JULY 15, 20__ 01G05013764